

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: December 1, 2015
SUBJECT: BZA Case 19141, 4608 Sargent Road, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) cannot make a recommendation on the following requested relief:

- § 2300.8, Private Garages and Carports (carports required to be attached to the main structure, detached carport proposed)

The subject property is nonconforming for lot width, lot area, side yard and open court. Relief as requested was identified by DCRA. OP's review of the application indicates that variance relief also appears to be required for side yard, lot occupancy and § 2001.3, Nonconforming Structures, for the construction of the carport. Maximum permitted lot occupancy within the R-2 zone, in which the subject property is located, is 40 percent. The application proposes a lot occupancy of 54.2 percent, in excess of that permitted as a matter-of-right and in excess of the maximum 50 percent the Board may grant by special exception pursuant to § 223. In addition, pursuant to Section 405 a minimum side yard of 8 feet is required on one side of the carport, but not provided.

OP has attempted to resolve this issue with the applicant, DCRA and OZ. An analysis is only provided for the relief identified by DCRA and requested by the applicant.

II. LOCATION AND SITE DESCRIPTION

Address	4608 Sargent Road, N.E.
Legal Description	Square 3916, Lot 8
Ward	5A
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-2: detached and semi-detached single family dwellings
Existing Development	One-family row dwelling with a rear deck, permitted in this zone.
Adjacent Properties	Row and semi-detached dwellings
Surrounding Neighborhood Character	Low density residential

III. APPLICATION IN BRIEF

The applicant requests approval of a fifteen-foot wide detached carport in the rear yard of the middle unit of a one-family triple-attached structure, accessible via the public alley.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-2 Zone	Regulation	Existing	Proposed	Relief
Height § 400	3-story max.	2-stories	2-stories	None required
Lot Width § 401	40-foot min.	17 feet	17 feet	None required ¹
Lot Area § 401	4,000 SF min.	1,955 SF	1,955 SF	None required ²
Lot Occupancy § 403	40% max.	39.2%	54.2%	Not requested
Rear Yard § 404	20-foot min.	>20 feet	>20 feet	None required
Side Yard § 405	8-foot min.	None	None	Not requested
Open Court § 406	6 feet	1.9 feet	1.9 feet	None required ³

V. OFFICE OF PLANNING ANALYSIS

Special Exception Relief pursuant to § 2300.8, Private Garages and Carports

- i. 2300.8 *A carport shall be attached to the main building and shall not be located along the side of the building that faces a building line except, if approved by the Board of Zoning Adjustment as a special exception under § 3104, a carport may be located subject to the conditions for accessory open parking spaces in §§ 2116.5 through 2116.9.*

The proposal is subject to the provisions of §§ 2116.5 through 2116.9 because the carport would not be attached to the main building.

2116.5 Except as provided in § 2117.9, if approved by the Board of Zoning Adjustment pursuant to § 3104 for special exceptions, open parking spaces accessory to any building or structure may be located anywhere on the lot upon which the building or structure is located, elsewhere, except in the case of a one-family dwelling, in accordance with §§ 2116.6 through 2116.9.

or

The proposed carport is for a one-family dwelling.

2116.6 The Board shall determine that it is not practical to locate the spaces in accordance with § 2116.2 for the following reasons:

- (a) *Unusual topography, grades, shape, size, or dimensions of the lot;*

¹ Existing nonconformity

² Existing nonconformity

³ Existing nonconformity

- (b) *The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets;*
- (c) *Traffic hazards caused by unusual street grades; or*
- (d) *The location of required parking spaces elsewhere on the same lot or on another lot would result in more efficient use of land, better design or landscaping, safer ingress or egress, and less adverse impact on neighboring properties.*

The carport would provide parking within a carport in the rear yard, and is therefore in accordance with § 2116.2.

2116.7 When the accessory parking spaces are to be located elsewhere than on the lot upon which the building or structure they are intended to serve is located, the parking on adjacent lots or lots separated only by an alley from the lot upon which the building or structure is located, shall be preferred.

This section is not applicable as the carport would be located on the same lot as the dwelling it is intended to serve.

2116.8 The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structures that they are designed to serve.

The carport, and the accessory parking spaces within it, would be located within the rear yard, furnishing reasonable and convenient parking for dwelling.

2116.9 The Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.

OP makes no recommendations for conditions. However, the carport as proposed appears to require variance relief for side yard and lot occupancy.

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal would allow for the applicant to provide protected off-street parking for the one-family residence at the rear of the property directly accessible from the public alley. However, it would also increase the lot occupancy of the subject property beyond that permitted within the R-2, either by right or by special exception, and relief from this provision has not been sought by the applicant.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The carport would be located within the rear yard in the same location that on-site off-street parking would normally be provided. It would be an open structure that would preserve the privacy of neighbors, while not adversely affecting the use of their properties.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT, in a memorandum dated October 26, 2015, stated that it had no objection to the application.

No other comments from District agencies were received.

VII. COMMUNITY COMMENTS

ANC 5A, at a special public meeting on December 18, 2014, voted to recommend approval of the application.

Attachment: Location Map

